IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE Mr. JUSTICE C.V.RAMULU

WRIT PETITION No.6420 of 2005

Between:

M. Srinivas Reddy, S/o. Sri M. Venkateswar Reddy,
H.No.1-3390, Nalapeta Road, HMT Colony, Kurnool.

..... PETITIONER

AND

1 A.P.S.R.T.C., Rep by its Chairman and Managing Director,
Musheerabad, Hyderabad.
2 The Regional Manager, APSRTC, Kurnool Region, Kurnool.
3 The Depot Manager, APSRTC, Yemmiganoor Depot,
Yemmiganoor, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order direction or writ particularly one in the nature of MANDAMUS or any other appropriate writ declaring the proceedings No.C1/756(1)/2003-RM/KRNL, dated 7-8-2003 in rejecting the claim of the petitioner for providing alternative employment is illegal and arbitrary and consequently direct the respondents to provide alternative employment to the petitioner in terms of section 47 of Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and pass other order or orders in the interest of justice

Counsel for the Petitioner: Mr. G.VIDYASAGAR

Counsel for the Respondents: Mr. P.VINAYAKA SWAMY

The Court at the admission stage made the following :

ORAL ORDER:

This Writ Petition is filed seeking a Mandamus declaring the Proceedings dated 7-8-2003 of the 2nd respondent in rejecting the claim of the petitioner for providing alternative employment, since the petitioner has become medical unfit to hold the post of driver, as arbitrary and illegal and consequently to direct the respondents to provide employment to the petitioner.

Heard both sides.

There is no necessity to go into details of the case. Since the Commission has been constituted under the Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act,1995, it is suffice to direct the petitioner to file an appropriate representation before the Commission and seek adjudication of his grievance. If such a representation is made, the Commission shall adjudicate the same in accordance with law. After orders are passed by the Commission, the same shall be given effect to by the respondents.

With the above direction, the Writ Petition is disposed of at the admission stage.

28-4-2005

prk

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Chairman and Managing Director, A.P.S.R.T.C.,
Musheerabad, Hyderabad.
2 The Regional Manager, APSRTC, Kurnool Region, Kurnool.
3 The Depot Manager, APSRTC, Yemmiganoor Depot,
Yemmiganoor, Kurnool District.

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